City of Lafayette
City Council Special Meeting
Redevelopment Agency Special Meeting

MINUTES

Lafayette Community Center – Sequoia Room **January 12, 2009**
500 St. Mary's Road, Lafayette, California **6:30 p.m.**

1. CALL TO ORDER

Mayor Anderson called the meeting to order at 6:30 p.m.

2. ROLL CALL

Present: Council Members: Mayor Tatzin, Vice Mayor Andersson Councilmembers Anderson, Anduri and Federighi

Absent: None

Staff: Steven Falk, City Manager; Ann Merideth, Community Development Director; Mala Subramanian, City Attorney

3. ADOPTION OF AGENDA

ACTION: It was M/S/C (Federighi/Anderson) to adopt the agenda. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

4. PUBLIC COMMENTS

5. CLOSED SESSION

A. Conference with Legal Counsel-Existing Litigation
Government Code section 54956.9(a)
Colby v. City of Lafayette et al.
Case No. N08-1508

Convene Redevelopment Agency

ACTION: It was M/S/C (Tatzin/Anduri) to convene the Redevelopment Agency. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

B. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)

Adjourn Redevelopment Agency

ACTION: It was M/S/C (Tatzin/Anduri) to adjourn the Redevelopment Agency. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

6. ADJOURNMENT

ACTION: It was M/S/C (Anduri/Federighi) to adjourn to the Special City Council Meeting at 6:55 p.m. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

APPROVED:

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Don Tatzin, Mayor

ATTEST:

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Joanne Robbins, City Clerk

City of Lafayette
City Council Regular Meeting
Redevelopment Agency Special Meeting

MINUTES

Lafayette Community Center – Manzanita Room **January 12, 2009**
500 St. Mary's Road, Lafayette, California **7:00 p.m.**

1. CALL TO ORDER

Mayor Tatzin called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Council Members: Mayor Tatzin and Councilmembers Anderson, Anduri and Federighi

Absent: Vice Mayor Andersson

Staff: Steven Falk, City Manager; Tracy Robinson, Administrative Services Director; Ann Merideth, Community Development Director; Lt. Mike Hubbard, Police Services Manager; Sgt. Roxanne Gruenheid; Mala Subramanian, City Attorney; Joanne Robbins, City Clerk

3. PLEDGE OF ALLEGIANCE - led by Mayor Tatzin

4. ADOPTION OF AGENDA

ACTION: It was M/S/C (Anderson/Federighi) to adopt the agenda. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

5. REPORT ON CLOSED SESSION

City Attorney Subramanian reported no reportable action had been taken in Closed Session.

6. PUBLIC COMMENTS - None

7. PRESENTATIONS

8. OLD BUSINESS

9. STAFF REPORTS

10. PUBLIC HEARINGS

A. Traci Reilly, Co-Chair Crime Prevention Commission
Ordinance 579 repealing Chapter 56-4 of the Contra Costa County Code Entitled "Solicitors and Peddler" and adding Chapter 4-4 of the Lafayette Municipal Code Entitled "Solicitors, Peddlers and Canvassers"
Recommendation: Discuss and introduce Ordinance 579.

City Attorney Mala Subramanian reported that staff had red-lined changes made, stating the most significant change were modifying the felony and misdemeanor language so that it meets an involved theft, violent charge or an act of trespassing nature. She said Vice Mayor Andersson and Chief Hubbard worked to arrive at the language to address previously voiced concerns, and the revisions were reviewed by the Crime Prevention Commission.

Traci Reilly, Co-Chair Crime Prevention Commission, gave an historical account of the matter and the ordinance's requirements for peddlers to secure a permit. She said a first offense would be an infraction and second offense, a misdemeanor and noted that the majority of the Council favored the ordinance with technical changes. She said the language was made to be narrower in scope and included four categories: crimes involving 1) violence, 2) drugs, 3) theft, and 4) trespassing. While she prefers the original language proposed in November, Ms. Reilly said public safety is an important issue and if passed, the ordinance would assist police officers in their duties to protect the citizenry, and she requested the Council move forward with adoption of the ordinance.

The public hearing was opened.

Public Comments:

PAM SEVERSON voiced support for the original language of the ordinance and public safety.

PATTY BATTERSBY, Happy Valley Homeowners Association Board of Directors, read a letter from their Board into the record supporting the ordinance to regulate door-to-door solicitation and especially the original language, stating strong support for restricting all individuals with any kind of arrest record.

Councilmember Anderson noted that the change covers felonies and misdemeanors but of certain types of crime. Ms. Battersby said there were many people who believe no one with any type of arrest record should be allowed to peddle or solicit in a neighborhood.

Mayor Tatzin noted that the ordinance as worded prohibits anyone from receiving a permit if they are convicted of any kind of felony. Therefore, felonies are not selective in nature. Councilmember Federighi also thought that residents could also be protected by placing "no solicitors allowed" signs; however, it was noted that the signs are often ignored.

MICHAEL OLSON supported adoption of the ordinance and licensing requirement, believed the issue was black and white which was to keep peddlers out of neighborhoods, and briefly discussed a personal situation in his neighborhood where individuals ran off and hid after complaints were made from neighbors during a solicitation event.

WENDI PARODI supported the requirement of a clean record for individuals to be able to do door-to-door solicitation, and felt that "no solicitor" signs were ineffective.

ELANA MARSH asked to add Forgery to the prohibition and confirmed with Chief Hubbard that the crime fell under theft. She discussed a peddler situation during Halloween, supported approved peddlers having I.D. tags, and supported the original ordinance language.

KELLY WOOD voiced support for the ordinance but questioned why it couldn't be made illegal to solicit if it was for-profit in Lafayette and asked that it be made stronger over the years. City

Attorney Subramanian said constitutionally, one can regulate commercial activities but not over-regulate, which would be illegal and not easily defendable by the City, if challenged.

KIM TEJADA, Crime Prevention Commission, thanked the City Council, Chief Hubbard and Traci Reilly for the time and research for the ordinance. She acknowledged some difficulties with enforcement, felt education was key to solving problems, and urged the Council to adopt the ordinance.

Councilmember Anderson referred to limiting the scope of the crimes to a misdemeanor, stating the Commission debated this, deemed it as acceptable and asked for an explanation of why the language was the way it is. Ms. Tejada favored limiting all crimes; however, she acknowledged the City's comfort level from a legal standpoint. She believed categories were important and effective, suggested finding common ground and asked for agreement and approval to be able to move forward expeditiously.

Mayor Tatzin recognized all Crime Prevention Commission members for their work.

GABRIEL FROYMOVICH supported passage of the ordinance but voiced concern over things that may or may not be covered under the four categories. He voiced opposition to the following crimes which may come into his neighborhood which he believed may not be necessarily covered: prostitution, sale of alcohol or cigarettes to a minor, animal abuse, and vandalism (if not covered under theft category). He also suggested declaring this an urgent matter of public safety so that an ordinance can be passed according to Election Code 914184; which would void the 30-day effective period.

Chief Hubbard noted that animal abuse would be covered under acts of violence, the selling of alcohol to a minor and vandalism may not be covered depending upon how they were committed, and prostitution was also not covered.

Councilmember Federighi questioned and confirmed that vandalism could be included as a separate item, but Chief Hubbard said the issue then becomes adding many more crimes to the categories and he briefly discussed their focus on maintaining broader meanings of each category.

CHRISTINE WANG thanked Ms. Reilly, staff and the Council for their work and while she acknowledged constitutional restrictions, she asked for a strict ordinance to deter criminals.

KEVIN REILLY believed that making exclusions for misdemeanors and felonies would open the City up to an exercise that will go on for years. He believed a lot of work went into the ordinance to solve a problem that would really be a problem for a zero population and asked that anyone with a misdemeanor record of any sort be prohibited.

Ms. Reilly clarified that it was her understanding that when she spoke to the City Attorney, the Council has three choices; move the matter forward as amended, move forward the original language from the November meeting; or move forward with the amended language of the Crime Prevention Commission from the December 5 meeting. She said many people still want a broader based language and she felt it did not makes sense to continue to have discussion if nothing was put on the table. The police officers want to have tools available to protect its citizens and she asked the Council to choose to adopt the original language.

The Mayor closed the public portion of the meeting.

City Attorney Subramanian said what is recommended by Vice Mayor Andersson and Chief Hubbard is to modify both the felony and the misdemeanor; however, the Council could discuss this further and provide direction.

Councilmember Anderson confirmed that the original language dealt with moral turpitude, and Mayor Tatzin confirmed with Ms. Subramanian that the Council still had an option to adopt any of the following amendments while still holding the ordinance's first reading; 1) the moral turpitude language; 2) any felony or misdemeanor; or 3) the third version which is being presented this evening and which can be further modified.

Councilmember Anderson said he remembered the language from the last meeting had been supported by the Council, acknowledged the request for a compromise but supported the recommended language of "any felony or misdemeanor" language. He also referred to the permit displays Section 4-404 and suggested the permit be worn and visible without the option of having the permit in his/her immediate possession.

Councilmember Federighi said she voted for the broad language at the last meeting, but was sympathetic with concerns that the ordinance not sweep too wide and include misdemeanors unrelated to the safety concerns that underly what the ordinance is all about. Her preference was to adopt the language before the Council tonight; however, she agreed with Councilmember Anderson's concern with Section 4-404 and was willing to support an individual not receive a license if they were convicted of any felony, and a misdemeanor that involved theft, violence, drugs or acts of a trespassing nature.

Councilmember Anduri questioned Chief Hubbard's experience of other jurisdictions with the effectiveness of "no solicitation" signage. Chief Hubbard said he was not aware of other jurisdictions with such language in their ordinance except for Orinda which has had it tested. He said police staff believe that at least with signage, it is an absolute violation of the permit ordinance to knock on a door, so this provides the immediate ability to enforce the violator.

Councilmember Anduri questioned Chief Hubbard's opinion on the public safety aspect of the three alternatives, and Chief Hubbard said that any felony or misdemeanor provides the broadest scope of people being able to solicit in Lafayette. He said he was not sure if this was the best one because besides misdemeanors involving garbage cans, there are numerous traffic laws which would be of concern. His concern is to make citizens as safe as possible while still keeping in mind people's rights to be able to solicit legally. He believed that the wording of any felony and categories of misdemeanors was the best alternative to choose from.

Councilmember Anduri thanked Commissioners, Councilmember Anderson and Chief Hubbard for working on the matter and voiced his preference to ban all soliciting altogether. If this is not an option, then the restrictions should be reasonable and there must be a reasonable relationship for a public taking. With that in mind, the best alternative is to not allow individuals to obtain a license with any felony or those stated misdemeanor categories. He voiced concern over Section 4-412 (d) for exemptions because this says nothing will prevent a person from soliciting without a permit subject to regulations set forth in the statute. The next part states that "additionally, solicitation of donations made incidental to such canvassing is excluded from the crimes of this chapter". He suggested this be removed and the City Attorney has informed him that there are cases that would not allow for this. His concern would be for instances with firefighters' benevolent associations and situations which, in turn, could fall under solicitation. He also believed that the elderly population was particularly vulnerable.

Mayor Tatzin supported not issuing a license to someone convicted of any felony and supported the categories of misdemeanors. Based upon the testimony, he also supported the addition of prostitution as another category of misdemeanor. Chief Hubbard suggested indicating a category of "crimes of a sexual nature" which would cover this situation.

Mayor Tatzin again thanked those involved in researching the matter, believes the Council should move ahead with the ordinance as modified and questioned how much would the City check to ensure their application was completed correctly. Chief Hubbard said they would run the application through the California Law Enforcement Telecommunication System for the status of warrants, probation, parole, out-of-state warrants, they will check the County's system, a DMV check, and run an out-of-state license check. The only check that would not be done mainly because of time constraints is a DOJ criminal history profile.

Mayor Tatzin said it is feasible that someone could have been convicted of a misdemeanor where they are no longer on parole or where they might not remember all misdemeanors in which they have been convicted. They may not include it or fill out the application correctly and he believed this may not be picked up by police. He also questioned the timeframe in which the application must be turned around legally, and Ms. Subramanian said staff felt comfortable with up to two weeks but no longer; however, to do a more detailed check would involve up to a three week period. Chief Hubbard said police could do this through their Live Scan system which would take two weeks.

Mayor Tatzin supported proceeding with the ordinance but thought that it might give residents a false sense of security. He asked the Commission and Chief Hubbard to think about adding a non-sworn person who is trained on how to do the background check. More features could be added to the license requirement in another version of the ordinance to have a better sense of whether the individual accurately filled out the application. He also asked the Commission that in putting together its budget proposal, to think about how "no soliciting" signs can be made available to the public. He also suggested posting a synopsis of the ordinance in Vistas and have a supply of "no soliciting" stickers that people could obtain at police departments or within an issue of Vistas.

Councilmember Federighi further discussed abuse and neglect, and criminal record checks through the County, and Chief Hubbard noted that such crimes would reveal a report number or criminal investigation and the County is very strict about who runs rap sheets and for what purposes. He said that if they do not fit within criteria, they must go directly to the DOJ which may cause delay.

Mayor Tatzin suggested the Council introduce the ordinance, make amendments to Section 4-404 regarding displaying identification and the permit, clarify that no license will be issued to any person convicted of any felony, and in addition, to any person convicted of a misdemeanor listed in the draft ordinance, as well as a misdemeanor of a sexual nature.

Councilmember Anderson said he still was not supportive of a modification to a misdemeanor and said he would vote against that aspect of it; however, he supported the rest. He acknowledged concerns of residents not wanting solicitors but did not want to differentiate the type of misdemeanor the person has committed.

ACTION: It was M/S/C (Federighi/Anduri) to approve Section 4-405 as modified to clarify that, "The Police Department shall verify the accuracy of the information set forth in the application

and shall deny the permit if the application contains false information, if the applicant has ever been convicted of any felony or of any misdemeanor involving theft, violence, drugs, acts of a trespassing nature or crimes of a sexual nature." Vote: 3-1-1 (Ayes: Tatzin, Anduri, Federighi,; Noes: Anderson; Absent: Andersson).

ACTION: It was M/S/C (Federighi/Anderson) to introduce Ordinance 579, as modified, to clarify in Section 4-404 to eliminate the words, "or have in his/her immediate possession" so that any solicitor must actually wear the identification and permit, and continue for second reading to January 26, 2009. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

B. Ann Merideth, Community Development Director
Ordinance 578 repealing Chapter 6-26, Public Art, and adding Chapter 11-7, Public Art, and Resolution 2008-44 setting a public art fee and maintenance endowment requirement
Recommendation: Adopt Resolution 2008-44 and introduce Ordinance 578 and continue to January 26, 2009 for second reading and adoption.

Community Development Director Ann Merideth said the City Council first discussed the matter in September and requested staff conduct research into having a Public Arts Commission, determine if there was a way to support the public art process through a fee or using a portion of the 1% requirement from new development, and research maintenance requirements.

Staff agrees that a full Commission at this time or in the near future is not necessary and that a Committee could be formed on an as-needed basis, given the state of development. Regarding the second item, there are three ways public art would come to the City; 1) as part of any new development; 2) as a gift; and 3) the City could acquire public art once funds are in place.

Ms. Merideth said a nexus study was done that supports a processing fee. Based upon experience with the Library's public art, staff resources would not be much of an issue. Regarding maintenance, if public art is on private property it is the responsibility of the owner to maintain the piece. There could be some instances that the developer has suitable public art to donate and part of the 1% could be used as a maintenance endowment for the City to take care of the art for the life of the work.

The public hearing was opened, and there were no public comments.

The public hearing was closed.

Councilmember Anduri suggested that an arts commission be considered in the future, as the City would benefit from working with various organizations and citizens in promoting all the arts.

ACTION: It was M/S/C (Anderson/Anduri) to adopt Resolution 2008-44 and introduce Ordinance 578 and continue to January 26, 2009 for a second reading and adoption. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

11. CONSENT CALENDAR

Councilmember Federighi requested removal of Items 11A and C.

ACTION: It was M/S/C (Federighi/Anderson) to adopt Consent Calendar Item B. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

B. Appointing one new member to the Community Center Foundation
Recommendation: Appoint Judy Gregerson to the Community Center Foundation.

Items Removed for Discussion:

A. City Council Minutes
December 8, 2008
Recommendation: Approve.

Councilmember Federighi referred to page 31, bottom: "She was more concerned about how how a house is placed on such a small lot ~~when~~ before she saw the story poles."

ACTION: It was M/S/C (Anderson/Anduri) to approve the December 3, 2008 minutes, as amended. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

Convene Redevelopment Agency

ACTION: It was M/S/C (Anderson/Federighi) to convene the Redevelopment Agency. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

C. Update on Downtown Strategy
Recommendation: Receive and file.

Councilmember Federighi voiced concern with the date of the Community Workshop, stating that an earlier proposal had scheduled the February workshop earlier and said she would be out of town. Ms. Merideth noted the date was as a result of having the entire consultant team available and this was also the date the Veterans Building was secured for free.

Council's consensus was to receive and file the item.

Adjourn Redevelopment Agency

ACTION: It was M/S/C (Anderson/Tatzin) to adjourn the Redevelopment Agency. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

12. COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. Mayor Don Tatzin

1. 2009 Councilmember Assignments
Recommendation: Adopt the 2009 Council Assignments.

Ann Burns referred to the 2009 assignments and said she did not see the Roads Task Force listed. Mayor Tatzin said he anticipated that he and Councilmember Anduri would call meetings of the Roads Committee from time to time and that this was similar to the scheduling of Senior Task Force meetings.

Councilmember Anduri referred to the timing of events for the Downtown Strategy, and he confirmed that the Advisory Committee would meet all day on January 31, 2009. Councilmember Anderson noted the plan would come out on January 25th, the Committee will meet on the 31st and the plan will continue to be distributed to the Committee and Commissions in February and they will meet. The Community Workshop wraps up the process on February 25th.

City Manager Falk said staff reviewed the draft plan last week, met with the consultant and noted that the plan needs a lot of work. Councilmember Federighi reported she was not available on some of the dates and Mayor Tatzin said copies of the plan would be distributed to Councilmembers and Commissioners and meetings would be held throughout February and March. He encouraged Councilmembers to attend their liaison meetings in order to bring back information to the entire Council.

ACTION: It was M/S/C (Tatzin/Anderson) to adopt the 2009 Council Assignments. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

2. **Joint Council/Commission/Committee meeting Schedule**
   Recommendation: Adopt the 2009 joint council/commission/committee meeting schedule.

City Manager Falk suggested changing the Mayors' Conference date for Lafayette to November or December instead of September in order to hold it at the Library.

Councilmember Anduri voiced concern regarding the Senior Needs Assessment Task Force and Senior Services Commission scheduled for June 22nd and asked that it be scheduled for July 13th. Councilmember Federighi also asked that the Code Enforcement Appeals Board be changed from April 27th to May 11, 2009.

ACTION: It was M/S/C (Anderson/Anduri) to adopt the 2009 joint Council/Commission/Committee meeting schedule, as amended. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

3. **Discussion on tracking 2009 Priorities**
   Recommendation: Discuss and direct staff.

Mayor Tatzin asked that Council and staff hold themselves accountable for getting priorities done during the year, to each take responsible items, meet as a group of two with staff, identify steps to accomplish the task(s), project target due dates, report status, and have staff post the items to the City's website.

City Manager Falk said he and Mayor Tatzin discussed the matter and discussed the traditional process as holding the Goals and Strategies meeting in late January/early February and the Council will come to agreement with what the goals are. He said Mayor Tatzin articulated nine items and he suggested that for Goals and Strategies, staff could draft a milestone page for each of the nine items. If there are additional goals to be considered, he asked to notify staff so that they could draft milestones for them.

Councilmember Anduri questioned and confirmed that the Goal Setting session would be held February 9th and he supported the recommended approach. Mayor Tatzin asked that staff

circulate the draft plans to the two responsible members of the Council in advance, and he hoped each Councilmember would take ownership of getting the tasks done in addition to managing and setting policy direction.

Mayor Tatzin referred to page 2 and asked that the Approved Priorities be held February 9th, to place them on the City's website, and on a monthly basis, review their status. City Manager Falk asked Councilmembers to direct any additional goals to him.

City Manager Falk discussed how the stimulus plan will work and how money will be allocated from it. He spoke with Legislative Director Ellen Tauscher and an EPA official, and regulations have not been drafted and the plan is not certain. He said the plan could move quickly, said last Friday $6 million was submitted in projects through the Transportation Authority, there may be money for green building grants, there has been talk about improving the old Library building, and he suggested possibly defining money from the stimulus plan.

Councilmember Anderson encouraged the City Manager to be creative and think of all possible projects. He discussed a wish list of transportation projects, questioned its effectiveness, and also questioned potentially returning with information on employing a lobbyist at the Goal Setting session.

Mayor Tatzin said he attended one of the transportation meetings last Thursday. The general expectation for transportation money is that it would flow into categories and be more formulaic than earmarked. He said the Authority is pushing for a noticeable amount to go into local projects as opposed to mega-projects. At the same time, Measure J revenues will be down and the ability to do projects might be delayed.

City Manager Falk said the President has made it clear there will be no earmarks and they want to divert the money to the state and let the state divert money to the regions using formulas. The EPA representative said the problem with the formulaic approach is that it will take time to develop formulas, get them reviewed and there will be an environmental review required which could take years.

13. WRITTEN COMMUNICATIONS

A. E-mail from Jared Schultzman, American Red Cross, requesting a proclamation recognizing January as National Blood Donor Month
Recommendation: Discuss and direct staff.

ACTION: It was M/S/C (Anderson/Tatzin) to adopt a proclamation recognizing January as National Blood Donor Month. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

B. Letter dated January 5, 2009 from Jay Lifson, C.E.O. Lafayette Chamber of Commerce, requesting permission to use Lafayette Plaza August 14, 21, 28 from 6:30pm to 8:30pm for Rock the Plaza.
Recommendation: Discuss and direct staff.

ACTION: It was M/S/C (Federighi/ to designate use of the Lafayette Plaza to the Chamber of Commerce on August 13, 21, and 28 from 6:30 p.m. to 8:30 p.m. for Rock the Plaza. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

C. Letter dated January 5, 2009 from Jay Lifson, C.E. O. Lafayette Chamber of Commerce, requesting permission for street closures as outlined in their letter for the 14th Annual Art & Wine Festival from 6pm Friday, September 18th until 10pm Sunday, September 20th, banners on the median light poles, publicity in Vistas and the Community Center newsletter and assistance from Lafayette police and public works departments.
Recommendation: Discuss and direct staff.

Mayor Tatzin asked to postpone the item to the next meeting to better understand the cost of the continuing cooperation between police and public works for this item as well as Item D. He said given the anticipated opening date for the Library in the middle of October, the Council may wish to reserve the banner poles and he suggested continuing that portion of the request until a better sense of what time the library will open.

Mayor Tatzin also suggested first receiving an estimate of police and public works costs at the next meeting.

City Manager Falk said he did not believe the banners would have any impact on the Art and Wine Festival in September and the Library would not be opening before that and the banners could be swapped out and up for at least three weeks before the library opening. Then, banners could also be used for the last two weeks in October.

ACTION: It was M/S/C (Tatzin/Anderson) to continue the item to January 26, 2009. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

D. Letter dated January 5, 2009 from Jay Lifson, C.E.O. Lafayette Chamber of Commerce, requesting permission for street closures as outlined in their letter for the 2009 Lafayette Reservoir Run from 6am to 10:30am Sunday, October 25th, banners on the median light poles, publicity in Vistas and the Community Center newsletter and assistance from Lafayette police and public works departments.
Recommendation: Discuss and direct staff.

ACTION: It was M/S/C (Tatzin/Anderson) to continue the item to January 26, 2009. Vote: 4-0-1 (Ayes: Tatzin, Anduri, Federighi, Anderson; Noes: None; Absent: Andersson).

14. ADJOURNMENT

The City Council adjourned at 8:45 p.m. to the special meeting at 7:00 p.m. on January 13, 2009

APPROVED:

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Don Tatzin, Mayor

ATTEST:

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Joanne Robbins, City Clerk